

June 27, 2016

Vermont Public Service Board
112 State Street
Montpelier, VT 05620 -2701

Dear Public Service Board members,

Please accept the following comments and proposals for implementing temporary sound-level standards in wind energy projects.

When we first heard about the proposed Swanton Wind project proposed near our home we did not know much about wind energy. I had seen the turbines go up on Georgia Mountain and I had heard that some people were opposed to the project and had some issues with it. At first, I didn't think that Swanton Wind would be anything like the size of Georgia Mountain because it is just a small hill. Imagine my surprise when it was announced that Swanton Wind was planning to put up to seven Industrial Wind Turbines on Rocky Ridge. Only being familiar with Georgia Mountain, some of us at the initial meeting started asking for some comparisons. The first thing we realized is they were proposing up to seven turbines and Georgia Mountain has four. We then asked if these would be smaller than Georgia Mountain. Oh no, they said that Swanton Wind was proposing turbines up to 499' tall and Georgia's are 440'. Well, then these must be farther away than the ones in Georgia. Oh, these are proposed to be as close as 2000' from our homes. How far from homes are the Georgia turbines? Oh, the closest one there is 3600'.

Wow, these are bigger and yet closer to homes? We have heard that some people have issues with living near the Georgia turbines. The response to that from Martha Staskus from Vera was 'oh, don't listen to them, they are just the complainers'.

So, later that week, a group of us in my neighborhood drove up to Georgia Mountain to take a closer look at an Industrial Wind Turbine. Stepping out of our cars, we heard a whoop sound and then clunking noises that sounded like rocks in a dryer. We weren't sure how far we were from the turbines at that time, but certainly further than the 2000' that the proposed turbines would be from our homes.

Senator Brian Campion visited a home that is 3800' feet from the Georgia turbines. After spending just a short time there, he sent a letter to the Public Service Board about his negative experience. His comment: 'However, while outside, I have no other way to qualify my experience than sharing that I found the sound made by the turbines as too loud and not likely conducive to my being comfortable outdoors for an extended period of time.' When asked later, Senator Campion said that he would not want his family to live at that home. If those turbines are operating in compliance with the Vermont noise standard, you can see that is not a protective standard.

Another illustration of the fact that the current standard does not protect Vermonters comes from the Vermont Department of Public Service. In response to a Motion for Relief file by Melodie and Scott McLane – neighbors of the GMCW project – 'The Department has no reason to think that the sleep

disturbances and other health impacts cited by the McLanes are fabricated or exaggerated. Nor does the Department have cause to question the veracity of the McLanes' description of the range or severity of their health symptoms. The same can be said of the complaints the Department has received from other residents living near the GMCW and other commercial wind sites. In short, the limited number of GMCW complainants contacting the Department does not support a finding of a public health impact. It is, however, indicative of a significant impairment of the quality of life for some nearby residents.' The McLane's live 3800' from the GMCW project and they are experiencing a significant impairment of their quality of life. The models by GMCW showed that the project levels at the McLane's house would be 40 dBA or less averaged over an hour. Based on what we now know, we can see that the existing level of 45dBA most commonly used in Vermont is not protective to neighbors of a wind project.

Tony Klein and Chris Recchia have both told me more than once not to worry, this project will never go in because it is too close to homes (1800 – 2000 feet). But the current commonly used Vermont noise requirement allows for this. The developer can show models that meet the 45dBA averaged over an hour and they know that nobody will be out there enforcing it. June Tierney the Department of Public Service testified to the Senate Health and Welfare committee that the department has no enforcement arm and no boots on the ground. The developers know this and they can model anything they want and know that it won't be enforced. And, if the project hits decibel levels of 60 and 70dBA, that is ok with the developers because they state that when averaged over an hour, they meet their CPG requirements. Existing projects in Vermont are self-monitored by the developers and anybody who complains is summarily dismissed as having a negative attitude. Well, if your quality of life was significantly impacted by some project, I think you would have a negative attitude and you would complain. Unfortunately, those complaints in Vermont are dismissed by the developer and the people suffering are ridiculed. So, when it is said that people have stopped complaining, it is because they get no results from their complaints, not because anything has been fixed.

In talking with many State Representatives and Senators over the past few months, a frequent comment is that the Swanton Wind project will never go in because it is just too close to homes (1800 – 2000 feet), in too fragile of an environment (highest value habitat block in the NorthWest region) and is completely inappropriate. However, the fact that a developer can think that this project is feasible is an indication of how lax the current regulations placed on Wind Project CPGs are in Vermont. By instilling a protective standard for Vermont, we can ensure that any future wind projects are well sited and will not infringe on the rights of enjoyment of personal property for existing Vermonters. The original S.230 that was voted on in the House had a stricter noise section. It called for new standards to be set by July, 2017 and that all wind projects from now forward had to abide by those new standards. The house took a roll call vote on the bill with this wording and they voted unanimously (142 – 0) for the bill. Many Representatives spoke on the bill and they all mentioned that the noise piece was the reason they were voting for this bill. They were all glad that Vermont was finally taking the issue of noise from wind projects seriously and that something was going to be done to protect Vermonters. Those 142 Representatives and all of their constituents are not looking for the status quo from these temporary standards. They are looking for a strict and protective standard that is enforced.

In conclusion, these temporary standards that are put in place are going to determine the potential quality of life for Vermonters that live near currently proposed projects. The Comprehensive Energy Plan for Vermont says that we need to learn from the existing projects in Vermont. Although you may feel that you do not have enough information yet to set a new permanent standard, you know from the issues at existing wind facilities that the current commonly used 45dBA Leq is not working. You have also set a 30dBA Leq standard averaged over an hour for the indoor noise limit. Assumptions were made early on that sound would attenuate 15dBA from outdoor to indoor by 15dBA. You now know from an existing case that the outdoor to indoor attenuation is closer to 1-3dBAs. You also know that Vermont currently has no enforcement of the existing standard. Therefore, the temporary standard must be both stricter and easier to measure. A Max standard is one that is easier to measure. Looking at the McLane's and the fact that 40dBA Leq causes a significant impairment in quality of life, and the attenuation from outdoor to indoor, it stands to reason that an exterior 35dBA LMax would be a much more protective standard for Vermont.

The LMax standard would allow for a simplified third-party transparent continuous sound monitoring that would shift the burden of enforcement from the neighbors to the State where it belongs. Any infractions of the standard should be dealt with immediately and the project should scale back or shut down until it is proven that the standard is able to be met. This enforcement must be handled by the State and should not be left to the neighbors. No standard is any good unless it is enforced.



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